

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

ASBESTOS WORKERS SYRACUSE
PENSION FUND, *by Thomas Davitt, III*
and Charlie Buskee, as Trustees,

Plaintiff,

Civ. Action No.
5:04-CV-825 (GLS/DEP)

vs.

DELORES A. WELLS

Defendant.

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

BLITMAN, KING LAW FIRM
Franklin Center
443 North Franklin Street
Suite 300
Syracuse, New York 13204-1415

DANIEL R. BRICE, ESQ.

FOR DEFENDANT:

[NONE]

DAVID E. PEEBLES
U.S. MAGISTRATE JUDGE

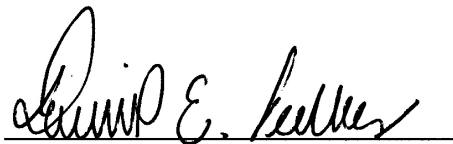
ORDER

The court was advised on December 7, 2004 by Daniel R. Brice, Esq., counsel for the plaintiff in this action, that defendant Delores A.

Wells has filed a voluntary petition in the United States Bankruptcy Court for the Northern District of New York. This action is therefore automatically stayed as a result of the filing of that petition, pursuant to 11 U.S.C. § 362.

Accordingly, it is hereby ORDERED as follows:

- 1) This action is stayed until such time as the automatic stay in bankruptcy is lifted, either through completion of the bankruptcy proceeding or order of the bankruptcy court granting relief from the stay.
- 2) On or before July 1, 2005 plaintiff's counsel in this action shall advise this court of the status of the defendant's bankruptcy proceeding and the status of any claim on behalf of the plaintiff in this matter brought in conjunction with that bankruptcy proceeding.
- 3) The clerk is directed to promptly forward copies of this order to counsel for the parties electronically.

A handwritten signature in black ink, appearing to read "David E. Peebles", written over a horizontal line.

David E. Peebles
U.S. Magistrate Judge

Dated: December 13, 2004
Syracuse, New York